In the High Court of Uttaranchal at Nainital

Writ Petition No. 154 (M/S) of 2004

Anand Prakash S/o late Sri Chandi Prasad through
Sri H.S.Jauhri R/o A-50, Shivalik Nagar BHEL,
Haridwar …….…. Petitioner.

Vs.

1-State of Uttaranchal,
2-Presiding Officer, Labour Court Dehradun
3- Irrigation Research Institute, Roorkees through
its Director, I.R.I. Roorkees, Haridwar ……. Respondents.

Hon'ble Irshad Hussain, J.

Heard Sri Pankaj Miglani learned counsel for the petitioner and Sri Nand Prasad learned Standing Counsel for respondent no.1.

2. This is a writ petition under Article 227 of the Constitution of India seeking an order directing the respondent no.2 to pass the award and further directing respondent no.1 to publish the same expeditiously.

3. It appear that the adjudication case no.240 of 1999 was initially decided exparte on 30-10-1999 (Annexure-3). An application was preferred by the respondent no.3 to set aside the exparte award. The application for restoration was allowed and the adjudication case was restored to its original number. Thereafter the parties filed their affidavits and documents and the evidence of the parties was closed on 14-9-2000. Thereafter 30th September 2000 was fixed for arguments. Arguments were advanced by both the parties before the respondent no.2. The case was reserved for judgment and till today it is alleged that the judgment has not been delivered. There can b no doubt that considerable delay has been caused since closed of the evidence and the hearing of the final arguments in the adjudication case and therefore the valuable right of the petitioner had been infringed in not having his dispute resolved expeditiously.

4. In view of above the petition has merit and is to be decided in terms that the respondent no.2 is directed to pass the award and further directing the respondent no.1 to publish the same

expeditiously, preferably within a period of one month from the date of receipt of copy of this order.

Dated: 12-03-2004 **(Irshad Hussain, J.)**

ISB